UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,748	04/13/2006	Kenichi Nagayama	46969-5439	5122

23973 7590 11/30/2007

DRINKER BIDDLE & REATH
ATTN: INTELLECTUAL PROPERTY GROUP
ONE LOGAN SQUARE
18TH AND CHERRY STREETS
PHILADELPHIA, PA 19103-6996

EXAMINER	
HANLEY, BRITT D	

ART UNIT	PAPER NUMBER
2879	

MAIL DATE	DELIVERY MODE
11/30/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

EK

Office Action Summary	Application No.	Applicant(s)	
	10/575,748	NAGAYAMA ET AL.	
	Examiner	Art Unit	
	Britt Hanley	2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 August 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *3 and 4* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *3-4* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 August 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *06/25/2007*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. /.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

[01] Amendment filed on 08/29/2007entered and noted by Examiner. Claims 1-2 & 5-6 are cancelled in the application and claims 3-4 are pending in the application.

Priority

[02] Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 112

[03] The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

[04] Claims 2-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

[05] Constant 'a' is contained in all claimed formula and not limited by the claims. Therefore, 'a' can take any value from zero to infinity. When 'a' approaches infinity, the sheet resistances approach zero, and when 'a' approaches zero, sheet resistances approach infinity. Any material can read on this unlimited range of sheet resistances.

Claim Rejections - 35 USC § 102

[06] The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

[07] Claims 3 & 4 are rejected under 35 U.S.C. 102(b) as being anticipated by applicant cited Nagayama et al. (GB 2 332 985 A).

[08] Regarding claim 3, Nagayama et al. disclose , an organic electroluminescence display panel (title) comprising a plurality of organic electroluminescence elements (see at least fig. 1), each of the elements comprising first and second display electrodes (2, 1, fig. 1) and at least one of organic function layers (3, 4 fig. 1) including an emission layer ("organic EL layer 3 comprising a hole transporting layer and light emitting layer", page 7- page 8) comprising an organic compound, the function layers being sandwiched and stacked between the first and second display electrodes (shown in fig. 1), and a substrate (6, fig. 1) supporting the plurality of organic electroluminescence elements; wherein the organic function layers include at least one common layer (3, 4, fig. 1) that is formed commonly for the plurality of organic electroluminescence elements and has charge transport properties (4, fig. 1), and the common layer has a gap filling part ('gap regions', 4, fig. 1) extending among the plurality of organic electroluminescence elements, wherein the sheet resistance ρs_ctl_min of the gap filling part is a value satisfying a formula, $\rho s\_ctl\_min \geq (V\_on(K-1)-V\_off) \cdot (K-1)/(I\_const \cdot a)$ where ρs_ctl_min indicates the minimum of the sheet resistance ρs_ctl, K indicates a gray-scale number for display, V_on(m) indicates voltage between the first and second display electrodes of the organic electroluminescence element without the electric leakage at a gray-scale m (m is an integer of 1 or more) in the on-state, V_off indicates the voltage between the first and second display electrodes of the organic electroluminescence element that is adjoining in the off-state, I_const indicates driving current having a constant value, and a indicates the coefficient obtained from the shape of the gap filling part, respectively.

[09] Since the gap region (GR, fig. 1) is made of a material having a resistance, the gap region's resistance falls within the allowable range of ~0 Ohms to ~∞ Ohms.

[10] Regarding claim 4, Nagayama et al. disclose , an organic electroluminescence display panel (title) comprising a plurality of organic electroluminescence elements (see at least fig. 1), each of the elements comprising first and second display electrodes (2, 1, fig. 1) and at least one of organic function layers (3, 4 fig. 1) including an emission layer ("organic EL layer 3 comprising a hole transporting layer and light emitting layer", page 7- page 8) comprising an organic compound, the function layers being sandwiched and stacked between the first and second display electrodes (shown in fig. 1), and a substrate (6, fig. 1) supporting the plurality of organic electroluminescence elements; wherein the organic function layers include at least one common layer (3, 4, fig. 1) that is formed commonly for the plurality of organic electroluminescence elements and has charge transport properties (4, fig. 1), and the common layer has a gap filling part ('gap regions', 4, fig. 1) extending among the plurality of organic electroluminescence elements, wherein the sheet resistance ρs_ctl_min of the gap filling part is a value satisfying a formula, $\rho s\_ctl\_min \geq (V\_on(K-1)-V\_off) \cdot (K-1)/(a \cdot I(K-1))$ where ρs_ctl_min indicates the minimum of the sheet resistance ρs_ctl, K indicates the gray-scale number for display, V_on(n) indicates voltage between the first and second display electrodes of the organic electroluminescence element without the electric leakage at a gray-scale n (n is an integer of 1 or more) in the on-state, V_off indicates the voltage between the first and second display electrodes of the organic electroluminescence element that is adjoining in the off-state, I(m) indicates electric current flowing into the organic electroluminescence element at the gray-scale m, and a indicates the coefficient obtained from the shape of the gap filling part, respectively.

[11] Since the gap region (GR, fig. 1) is made of a material having a resistance, the gap region's resistance falls within the allowable range of ~0 Ohms to ~∞ Ohms.

Response to Arguments

[12] Applicant's arguments filed 08/29/2007 have been fully considered but they are not persuasive. Regarding applicants argument that the equations (74), (76), and (78) at pages 40-42 of the instant application are examples that clearly direct those having ordinary skill in the are to the manner of determining the coefficient 'a' for particular situations, Examiner notes that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

[13] Further, the equations listed above are only for a few particular situation; however, the claims are directed to all possible situations.

Conclusion

[14] **THIS** ACTION **IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

[15] A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

[16] If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571)272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

[17] Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Examiner Britt Hanley

Britt Hanley

Karabi Guharay
KARABI GUHARAY
PRIMARY EXAMINER